

SENATE BILL 1267

By Burchett

AN ACT to amend Tennessee Code Annotated, Title 37;
Title 38 and Title 39, relative to community
supervision of youthful offenders of certain sex
crimes.

WHEREAS, the Tennessee Juvenile Justice system can lawfully retain custody of
youthful offenders to the age of 19 years, under § 37-1-137(a)(1)(B) and § 37-1-131(a)(4).

WHEREAS, young people, by virtue of their age, have a lack of maturity and less of a
sense of responsibility, are susceptible to peer pressure, and have as-yet undeveloped
personalities,

WHEREAS, it has been shown that mental, emotional and behavioral development is
ongoing during this stage of life, thereby justifying the individualized treatment of those in this
age group, despite their being legally and lawfully of age,

WHEREAS, youthful sex offenders are largely motivated by curiosity and opportunity,
not deviant sexual attraction as with older, adult offenders,

WHEREAS, the state of Tennessee has a compelling interest in community safety,
rehabilitation of young people and successful reintegration of offenders back into society
following incarceration, now therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-525, is amended by adding
the following new subsection:

(e) Any person, who is found guilty of a violation of § 39-13-502, § 39-13-503, §
39-13-504 or § 39-13-505 on or after July 1, 2007, and who was age nineteen (19) or
under at the time of the commission of the offense, and who has no prior adult
convictions for any felony, shall be under community supervision as provided by § 39-

13-524 but only for the period of two (2) calendar years after the offender is released from prison unless:

(1) the offender violated the terms of community supervision during the two years, or

(2) the offender used a deadly weapon during the commission of the offense.

The provisions of this section shall apply to all such youthful offenders who are or will be on community supervision as provided by § 39-13-524. This section shall not be interpreted to alter or change any registration requirement or sex offender registry, nor shall it apply to any conviction for rape of a child or any conviction for the attempt to commit such offense.

SECTION . This act shall take effect July 1, 2007, the public welfare requiring it.